

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

SCOTTSDALE CAPITAL ADVISORS CORP,)	
AND JOHN HURRY,)	
)	
Plaintiffs,)	
)	CASE NO. 1:16-CV-00545
v.)	
)	
THE DEAL, LLC AND WILLIAM MEAGHER,)	
)	
Defendants.)	

**REPLY DECLARATION OF JOHN M. BROWNING
IN FURTHER SUPPORT OF DEFENDANTS' MOTION TO DISMISS**

I, John M. Browning, being of lawful age and otherwise competent to testify in a court of law, do hereby declare under penalty of perjury that the following is true and correct pursuant to 28 U.S.C. §1746:

1. I am an associate at Davis Wright Tremaine LLP, counsel to defendants The Deal LLC and William Meagher (collectively, the "Defendants"). I have been admitted to practice before this Court *pro hac vice*. I make this declaration based on my personal knowledge and submit this declaration, together with the exhibits annexed hereto, in further support of Defendants' motion to dismiss this action for lack of personal jurisdiction.

2. On February 14, 2017, defendant William Meagher was served with a subpoena issued from an action currently pending before the United States District Court of Arizona, to which Mr. Meagher is not a party, *Hurry v. FINRA*, 14-cv-2490-PHX-ROS (the "Subpoena"). The Subpoena demanded that Mr. Meagher attend a deposition in San Francisco on March 1, 2017 and produce any documents relating to his sources for the Articles. Annexed hereto as Exhibit A is a true and correct copy of the Subpoena.

3. On February 28, 2017, counsel for Mr. Meagher filed a motion to quash the subpoena with the United States District Court for the Northern District of California on the grounds that the California reporters' shield law absolutely prohibits enforcement of the Subpoena and that Mr. Meagher is entitled to the protections of a constitutional reporters' privilege against compelled disclosure of confidential sources or unpublished newsgathering materials. Annexed hereto as Exhibit B is a true and correct copy of the motion to quash and memorandum of law. In order not to burden the Court with excess papers, Exhibit B does not include copies of the declarations and exhibits supporting the motion, which are available on the electronic case docket, *Hurry v. FINRA*, 3:17-mc-80026-LB (N.D. Cal.). Copies of these supporting materials will be provided to the Court upon request.

I certify under penalty of perjury that the foregoing is true and correct.

Dated: March 1, 2017

/s/ John M. Browning
John M. Browning